

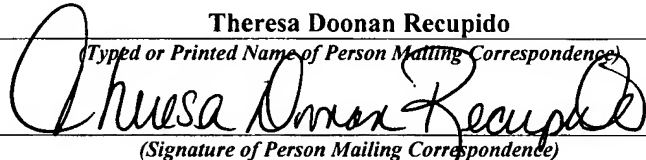
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CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8) Applicant(s): Behar et al.			Docket No. 0001733USU/2053	
Application No. 10/822,260	Filing Date April 9, 2004	Examiner Not Yet Assigned	Customer No. 27,623	Group Art Unit 3736

Invention:
SYSTEMS AND METHODS FOR RESPIRATORY EVENT DETECTION

I hereby certify that this **STATEMENT OF SUPPLEMENTAL INFORMATION and DECLARATION and POA**
(Identify type of correspondence)

is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope
addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on
February 4, 2005
(Date)

Theresa Doonan Recupido
(Typed or Printed Name of Person Mailing Correspondence)

(Signature of Person Mailing Correspondence)

Note: Each paper must have its own certificate of mailing.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Behar et al.
Serial No: 10/822,260
Title: SYSTEMS AND METHODS FOR
RESPIRATORY EVENT DETECTION
Filed: April 9, 2004
Examiner: (to be determined)
Art Unit: 3736
Docket No.: 0001733USU/2053 (formerly 10684-035-999)
Confirmation No.: 2689
Customer No.: 27,623

PETITION UNDER 37 C.F.R. § 1.47(a)
STATEMENT OF SUPPLEMENTAL INFORMATION

Mail Stop Petition

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

A Petition Under 37 C.F. R. § 1.47(a) was filed in connection with the above-identified application on February 2, 2005 because, after diligent effort, one of the eleven (11) joint inventors of this application, Mr. Dana Inman, could not be reached in order to obtain an executed Declaration. The present Statement of Supplemental Information is being filed because a declaration executed by Mr. Inman has now been received, and accordingly a Declaration signed by all eleven joint inventors of this application is now being submitted herewith.

Specifically, on February 3, 2005, Ms. Syrie Hope of VivoMetrics received by facsimile an executed declaration from Mr. Inman. Prompt receipt of a Declaration executed by Mr. Inman is submitted to be further evidence of diligent effort directed to completing the present application. Further, the Declaration submitted herewith, which is signed in seven (7) counterparts by Michael Coyle, Desmond Keenan, Alexander

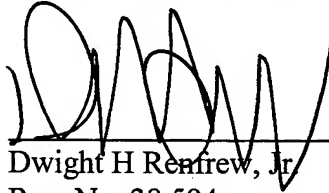
Derchak, Marvin Sackner, Frank Wilhelm, Keith Gilroy, Emmerance Gummels, Dana Inman, Paul Kennedy, Mark Mitchnick, and Andrew Behar, completes this application.

It is believed that no fees are due with this Statement; please charge any fee deemed necessary (and refund any overpayment) to Ohlandt, Greeley, Ruggiero & Perle, L.L.P. deposit account no. 01-0467.

It is respectfully submitted that the present application is now complete in all respects. Grant of the prior-filed Petition Under 37 C.F. R. § 1.47(a) is requested so that this now-complete application may promptly proceed to examination.

February 4, 2005
Date:

Respectfully submitted,


Dwight H Renfrew, Jr.

Reg. No. 38,594

Attorney for the Applicants

Ohlandt, Greeley, Ruggiero & Perle, L.L.P.

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Enclosure



DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

Docket No. 0001733/2053USU
Customer No.: 27623

As below named inventors, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our respective names.

We believe we are the original, and first joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SYSTEMS AND METHODS FOR RESPIRATORY EVENT DETECTION

the specification of which

(check one) ☐ is attached hereto.

☒ was filed on April 9, 2004 as Application Serial No. 10/822,260
and was amended on _____ (if applicable).

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to us to be material to the patentability of this application as defined in Title 37, Code of Federal Regulations, §1.56.

We hereby claim foreign priority benefits under Title 35, United States Code, §119(a) – (d) or (f), or Section 365(b) of any foreign application(s) for patent or inventor's or plant breeder's rights certificate(s) or Section 365(a) of any PCT International Application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application(s) for patent or inventor's certificate(s) or PCT International application having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>			<u>Priority Claimed</u>
_____ (Number)	_____ (Country)	_____ (Day/Mon/Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Day/Mon/Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Day/Mon/Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the

first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u> </u>	<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)	(Status - patent, pend., abandon.)

<u> </u>	<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)	(Status - patent, pend., abandon.)

We hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

<u>60/461,738</u>	<u>10 April 2003</u>	<u>expired</u>
(Application Serial No.)	(Filing Date)	(Status - patent, pend., abandon.)

<u>60/506,904</u>	<u>26 September 2003</u>	<u>expired</u>
(Application Serial No.)	(Filing Date)	(Status - patent, pend., abandon.)

POWER OF ATTORNEY: As named inventors, we hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

NAMES	REGISTRATION NUMBERS
Paul D. Greeley	28,468
Charles N.J. Ruggiero	31,019
Dwight H. Renfrew Jr.	38, 594

SEND CORRESPONDENCE TO:	DIRECT TELEPHONE CALLS TO:
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We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Inventor's signature _____ Date _____, 2005
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Inventor's signature _____ Date _____, 2005
Keith Gilroy

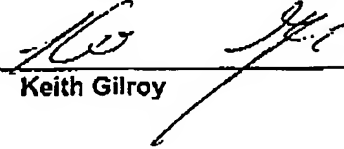
FULL NAME OF INVENTOR	LAST NAME SACKNER	FIRST NAME MARVIN	MIDDLE NAME
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Inventor's signature  Date 1/05, 200⁵
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E. Gummels
Emerance M. Gummels

Date 01/27, 2005

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Paul Kennedy

Date _____, 2005

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Re: US Application Serial No 107022210 with filing date April 9, 2004

Inventor's signature _____ Date 3 February, 2005
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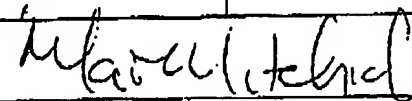
Inventor's signature _____ Date _____, 2004
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Inventor's signature Paul Kennedy Date January 5, 2005
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Inventor's signature  Date 1 05, 2005
Andrew Behar